

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

Land Acquisition – Yeleru Reservoir Project – East Godavari District – Rajahmundry Division – Gokavaram (M) Kalijolla (V) – Land acquired under Award No.14/84, dated.21-33-1984 for YRP – Land value enhanced in O.P.Nos.116/84, 128/84, 133/84, 178/84, 15/85 and 16/85–Appeals filed in A.S. Nos.489/98, 2123/98, 1866/98, 1547/97, 362/98 and 242/99 - Dismissed – Sanction of entire / full decretal charges – orders - issued.

IRRIGATION & CAD (PW.LA.I) DEPARTMENT

G.O.Rt. No :498

Date:25 .6.2008

Read the following:

- 1.From District Collector, East Godavari Dist, Kakinada.
Lr.No. G1/473 /2007., Dt.12.9.2007
2. From the Spl.Chief Secretary to Govt & CCLA, A.P, Hyd
letter.No.SRP3/1507/2007,dt.4.10.2007

ORDER:-

In the references read above, it has been reported that an extent of Ac.73.28 Cents of land situated in Kalijolla village of Gokavaram Mandal, was acquired under Award No.14/84 by the Spl.Dy.Collector(LA), YRP, Unit-I, Yeleswaram on 21.3.1984 duly fixing the land value @ Rs.6,000/- per acre for the land covered in O.P.Nos 116/84, 128/84, 133/84, 178/84, 15/85, and 16/85. At the request of the aggrieved land owners covered with an extent of Ac.9.122 cts, the claims U/s 18 of L.A. Act were referred to the Civil Court. The Principal Subordinate Judge,Rajahmundry after considering the reference pronounced decree and judgment in O.P.No. 116/84 and batch, dated.16.7.96 enhancing the land value fixed by the LAO from Rs.6,000/- to Rs.20,000/- per acre.

2. Aggrieved by the Lower Court orders, the State preferred Appeals before the Hon'ble High Court against the decree in O.P.No.116/84 and batch . The Hon'ble High Court in its order dated 1.12.2004 in AS.No.489/98 and batch, confirmed the Lower Court decree and further ordered to follow the judgment dated.4.8.2003 passed in by this court in AS.No.2320/98 against O.P.No.214/84 pertaining to the same award.

3. The District Collector, East Godavari has requested the Government to sanction and release an amount of Rs.6,94,397/- towards entire decretal amount for complying with the orders of the Hon'ble High Court in AS.Nos. 489/98, 2123/98, 1866/98, 1547/97, 362/98, and 242/99 against O.P.No. 116/84, 128/84, 133/84, 178/84, 15/85, and 16/85. The Spl.Chief Secretary to Government & CCLA, A.P, Hyderabad, has forwarded the proposal of the District Collector, East. Godavari District and recommended the Government to release the amount.

4. Government have examined the matter carefully and hereby accord sanction for an amount of Rs.6,66,609/(Rupees Six lakhs Sixty Six thousands Six hundred and Nine only) towards entire / full decretal amount to comply with the orders of Hon'ble High Court dated.1.12.2004 in AS.Nos. 489/98, 2123/98, 1866/98, 1547/97, 362/98, and 242/99 against O.P.Nos.116/84, 128/84, 133/84, 178/84, 15/85, and 16/85., subject to verification whether the reference under section 18 of the LA Act is made to the lower court after following all the guidelines/directions on the subject and in case it is detected that Sec.18 reference was made contrary to the rules/guidelines issued by the Government/CCLA, immediate action should be taken to recover the loss sustained by the Govt., from the staff concerned and filing of restitution petition and also subject to confirmation of the ENC (Irri), VYPP as to the extent of land acquired. Further, the Collector should verify the calculations made by the LAO/RDO once again thoroughly with reference to the decree and instructions issued by the Govt/CCLA on the subject from time to time before depositing the amount in Civil Court, duly deducting the Income Tax as per rules in force.

(P.T.O)

5. The amount sanctioned in para (4) above shall be debitable to "4701 - COL on Major & Medium Irrigation - 01 Major Irrigation (Commercial) - M.H. 116 Y.R. Scheme -G.H.11 Normal State Plan - S.H. (26) D&A Works - 530 Major Works - 532 Lands (Charged)". In case the available budget provision is not sufficient to meet the present requirement, the expenditure may be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

6. The District Collector, East Godavari, Kakinada is further directed to follow the directions issued by the Hon'ble High Court on 30.4.2007 in W.P.No.2181 of 2005 in disbursement of the above sanctioned decretal charges to the rightful claimants as was done in respect of O.P.Nos. 116/84, 128/84, 133/84, 178/84, 15/85, and 16/85, under Yeleru Reservoir project for avoiding intervention of the middlemen.

7. The Engineer-in-Chief, Irrigation, Hyderabad shall take necessary steps for release of L.O.C.

8. This order issues with the concurrence of Finance (Works & Projects) Department vide their U.O.No.2443/F.7(A1)/08-1, dt.30.5.2008.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

SUTIRTHA BHATTACHARYA
SECRETARY TO GOVERNMENT

To,

The District Collector, East Godavari, Kakinada.

The Engineer-in-Chief (Irr), Erramanzil, Hyderabad.

The Special Chief Secretary Govt & CCLA, A.P, Hyderabad

The Revenue Divisional Officer, Rajahmundry.

The Chief Engineer, VYPP Unit, Dowlaiswaram.

The Superintendent Engineer, YRPC Circle, Kakinada.

The Director of Works Accounts, Hyderabad.

The Joint Director of Works Accounts, Dowlaiswaram

The Accountant General, Andhra Pradesh, Hyderabad

Copy to Finance (W&P) Department

Copy to stock file/spare copies.

Copy in the file C.No.26917/L.A.I(2)/07

//FORWARDED : : BY ORDER //

SECTION OFFICER